IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

MONDAY, THE 5TH FEBRUARY 2007 / 16TH MAGHA 1928

Bail Appl..No. 527 of 2007()

CRIME NO. R.C. 3/(A)/2006 OF THE CBI, SPE, COCHIN

PETITIONER/ACCUSED NO.10:

A. GANESAN,
PEON, OFFICE OF THE PROTECTOR OF EMIGRANTS,
RAVIPURAM, COCHIN.

BY ADV. SRI.BABU S. NAIR
SMT.DEEPTHI S.MENON

RESPONDENTS: COMPLAINANT:

THE CENTRAL BUREAU INVESTIGATION,
REPRESENTED BY ITS INSPECTOR, CBI, SPE, COCHIN.

BY SC FOR CBI SRI. S. SREEKUMAR

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 05/02/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

Bail Application No. 527 of 2007

DATED: 05-02-2007

O R D E R

Petitioner who is the 2nd accused in Crime No. R.C. 3/(A)/ 2006 of the CBI, SPE, Cochin for offences punishable under Sections 420, 468, 471 and 120 B I.P.C. and Sections 13(1)(d) and 13 (2) of the Prevention of Corruption Act, 1988, seeks anticipatory bail.

2. In fact, the petitioner's application for anticipatory bail filed as B.A. 38 of 2007 was disposed of by this Court directing him to surrender before the investigating officer on a specified date and also directing that his regular application be disposed of by the Special Judge concerned. Without availing of the benefit of the said order, the petitioner has filed the present application again for anticipatory bail, which, if granted will amount to varying the earlier order passed by this court. I am not inclined to entertain this petition. Accordingly, the petitioner shall surrender before the investigating officer for the purpose of

custodial interrogation and recovery of incriminating materials, if any, on any day between 7-2-2007 and 9-2-2007. If the petitioner surrenders as aforesaid, he will be entitled to the benefit of the earlier order dated 18-01-2007 in B.A. 38/07.

V.RAMKUMAR, JUDGE

ani-